

KAUA'I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING
September 8, 2015

The regular meeting of the Planning Commission Subdivision Committee of the County of Kaua'i was called to order at 8:35 a.m., at the Līhu'e Civic Center, Mo'ikeha Building, in meeting room 2A-2B. The following Commissioners were present:

Mr. Sean Mahoney
Mr. Louis Abrams
Ms. Amy Mendonca

The following staff members were present: Planning Department – Dale Cua; Deputy County Attorney Jodi Higuchi-Sayegusa; Office of Boards and Commissions – Administrator Jay Furfaro, Commission Support Clerk Darcie Agaran

Discussion of the meeting, in effect, ensued:

CALL TO ORDER

Vice Chair Mahoney called the meeting to order at 8:35 a.m.

ROLL CALL

Staff Planner Dale Cua: At this time, I'll do roll call, Chair. Chair Mahoney?

Mr. Mahoney: Here.

Mr. Cua: Commissioner Abrams?

Mr. Abrams: Here.

Mr. Cua: Commissioner Mendonca?

Ms. Mendonca: Here.

Mr. Cua: We have three (3) commissioners present, Chair.

Vice Chair Mahoney: Thank you.

APPROVAL OF THE AGENDA

Vice Chair Mahoney: Approval of the Agenda.

Ms. Mendonca: So moved.

Mr. Abrams: Second.

Vice Chair Mahoney: Any discussion? Hearing none. Agenda approved.

MINUTES of the meeting(s) of the Subdivision Committee

Meeting of July 28, 2015.

Vice Chair Mahoney: Minutes of the meeting of the Subdivision Committee meeting on July 28, 2015.

Ms. Mendonca: So move to approve.

Mr. Abrams: Second.

Vice Chair Mahoney: Any discussion? (None) Moved and seconded. All in favor? (Unanimous voice vote) Opposed? (None) Motion carries 3:0.

RECEIPT OF ITEMS FOR THE RECORD

Vice Chair Mahoney: Receipt of Items for the Record.

Mr. Cua: We have none, Chair.

HEARINGS AND PUBLIC COMMENT

Vice Chair Mahoney: Hearings and Public Comment. Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony may also be accepted when the agenda item is taken up by the Commission at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair.

Does anybody care to testify on any of the agenda items at this time? Seeing none.

GENERAL BUSINESS MATTERS

Vice Chair Mahoney: General Business Matters.

Mr. Cua: We have none today.

UNFINISHED BUSINESS

Vice Chair Mahoney: Unfinished Business.

Mr. Cua: None.

NEW BUSINESS (For Action)

Tentative Subdivision Action

Subdivision Application No. S-2016-1, Kukui‘ula Development Co. (Hawai‘i) LLC, Proposed 11-lot Consolidation & Resubdivision, TMK: (4) 2-6-019:022, 023 & 024, Kukui‘ula, Kōloa, Kauai

Vice Chair Mahoney: New Business for Action. Tentative Subdivision Action. Subdivision Application No. S-2016-1; Kukui‘ula Development Co. (Hawai‘i) LLC; proposed 11-lot consolidation and resubdivision; TMK: (4) 2-6-019:022, 023, and 024; Kukui‘ula, Kōloa, Kaua‘i.

Do you have a report for this?

Mr. Cua: Okay, Chair. As noted in the subdivision report, the proposed subdivision involves a boundary adjustment for lots within the Kukui‘ula Residential Subdivision, Phase III-C which was previously considered through Subdivision Application No. S-2011-21. As represented, the proposal eliminates a total of two (2) lots within the original subdivision and reconfigures the orientation of the affected lots. Furthermore, the proposed development is not subject to the applicable requirements of Ordinance No. PM-2004-379, as well as the EIA and Park Fees since these requirements were previously addressed through the previous subdivision. However, it should be noted that the previous requirements of the various reviewing agencies still do apply.

The preliminary subdivision map was routed to the various reviewing agencies for their review and comment. The Department has incorporated these requirements into the subdivision report. As a result, the Department is recommending tentative subdivision approval of this application.

Vice Chair Mahoney: Are there any questions for the Planner from any members of the Commission?

Mr. Abrams: Dale, if I could get a map of that actual consolidation.

Mr. Cua: Oh, okay. I apologize for that.

Mr. Abrams: Otherwise, I think I get it. It’s just that I wasn’t around in 2011.

Mr. Cua: Right.

Mr. Abrams: I wasn't sure whether that was the one they had...there are so many consolidations and resubdivisions.

Mr. Cua: This was the very same one that they reconfigured previously. After it got final subdivision approval, I think a month after they received final, they realized that they wanted to reconfigure the lots again.

Mr. Abrams: Okay, thank you.

Vice Chair Mahoney: Any other questions?

Is the representative for the Applicant here? No.

Mr. Cua: I was told that the representative of Kukui'ula would be here, but I think the person is not present at this time. Maybe if we would like to come back in hopes that the representative does show up.

Vice Chair Mahoney: Okay. To move on, we need to defer this to...

Mr. Abrams: Move to defer to the end of the calendar.

Ms. Mendonca: Second.

Vice Chair Mahoney: It's been moved and seconded. Any further discussion? Hearing none. All in favor? (Unanimous voice vote) Opposed? (None) Motion carries 3:0.

Subdivision Extension Requests

Subdivision Application No. S-2007-16, Jack Nishimoto, et. al., Proposed 8-lot Subdivision, TMK: (4) 3-2-002:033-036, Niumalu, Līhu'e, Kaua'i

Vice Chair Mahoney: Okay, next. New Business, Subdivision Extension Request. Subdivision Application No. S-2007-16; Jack Nishimoto, et al.; proposed 8-lot subdivision; TMK: (4) 3-2-002:033-036; Niumalu, Līhu'e, Kaua'i.

Evaluation and recommendation pertaining to this matter.

Mr. Cua: Thank you, Mr. Chair. What you have before you is an extension request of the subdivision application. This is the Applicant's second extension request. As noted in the subdivision report, the subdivision proposal involves a total of seven (7) lots and one (1) roadway lot. The Applicant has provided a status report on the progress of the subdivision. The Applicant has indicated that the challenges with the project is being addressed through the Department of Water. The Department finds the reasons justifiable, and we are recommending that the extension be granted to the end of 2016 for December 31, 2016.

Vice Chair Mahoney: Are there any questions for the Planner from any member of the Commission? No.

Is there a representative for the Applicant? Could you state your name for the record please?

Wayne Wada: Wayne Wada from Esaki Surveying and Mapping.

Robert White: Robert White.

Vice Chair Mahoney: Okay. Are there any questions for the Applicant?

Mr. Abrams: Well, I just have to say that this has to be the longest subdivision process that I remember because I was on the Commission when it started in 1993. So you think that's going to be enough time? (Laughter in background)

Mr. Wada: Yes. Water was the only hold up and we just received the water meters, so it's okay.

Mr. Abrams: Okay, great. Thank you.

Vice Chair Mahoney: Anybody else have any questions? No.

Mr. Abrams: Move to approve the extension.

Ms. Mendonca: Second.

Vice Chair Mahoney: It's been moved and seconded. Any discussion on the matter? Hearing none. All in favor? (Unanimous voice vote) Opposed? (None) Motion carries 3:0. Thank you.

Mr. White: Thank you.

Mr. Wada: Thank you very much.

Final Subdivision Action

Subdivision Application No. S-2006-49, Kaua'i Habitat for Humanity, Proposed 107-lot Subdivision, TMK: (4) 2-1-001:052, 'Ele'ele, Kaua'i

Vice Chair Mahoney: Okay, moving on. Final Subdivision Action. Subdivision Application No. S-2006-49; Kaua'i Habitat for Humanity; proposed 107-lot subdivision; TMK: (4) 2-1-001:052; 'Ele'ele, Kaua'i.

Can we have the subdivision report for this please?

Mr. Cua: Yes. Just a little bit of background on the subdivision, the subdivision is regarded as Phase II of the 'Ele'ele Luna Residential Subdivision, which is being developed through Kaua'i Habitat for Humanity. The proposal establishes a total of 107 lots within the Residential District.

As part of the final subdivision approval, the Department will be granting final subdivision approval provided that the Applicant obtains final subdivision approval from the Department of Water by today. As of today, the Applicant has received final subdivision approval from the Water Department, so we are recommending final subdivision approval of this application.

Vice Chair Mahoney: Okay. Any questions for the Planner?

Is a representative for the Applicant present? Would you state your name for the record please?

Mr. Wada: Wayne Wada, Esaki Surveying and Mapping.

Stephen Spears: Stephen Spears, Kaua'i Habitat.

Vice Chair Mahoney: Okay. Are there any questions for the Applicant?

Mr. Abrams: No.

Vice Chair Mahoney: No. So the water went through, so everything is good?

Mr. Wada: Yes.

Vice Chair Mahoney: It went through today? Okay well, we all know Kaua'i Habitat for Humanity is important. Is there any...?

Mr. Abrams: Move to approve final subdivision approval, S-2006-49, Kaua'i Habitat for Humanity.

Ms. Mendonca: Second.

Vice Chair Mahoney: It's been moved and seconded. Any further discussion? Hearing none. All in favor? (Unanimous voice vote) Opposed? (None) Motion carries 3:0. Thank you very much.

Mr. Wada: Thank you.

Subdivision Application No. S-2013-02, State Department of Land and Natural Resources, Proposed 3-lot Subdivision, TMK: (4) 3-9-001:002(por.)/3-9-002:001 (Por.), Līhu'e, Kaua'i

Vice Chair Mahoney: Next. Subdivision Application No. S-2013-02; State Department of Land and Natural Resources; proposed 3-lot subdivision; TMK: (4) 3-9-001:002 portion, 3-9-002:001...is that portion?

Mr. Cua: Portion.

Vice Chair Mahoney: Portion. Okay, just to make sure. Līhu'e, Kaua'i.

Can we have the subdivision report, please?

Mr. Cua: Thank you, Mr. Chair. A little bit of background on this application, the purpose of the proposed subdivision is to accommodate the use of a trapshooting range on one (1) of the lots. The subdivision is for government purposes, and as a result, it is exempt from EIA and Park Fees. It is also exempt from the “one-time” subdivision limitation for parcels within the Agriculture District. The final subdivision map has been routed to the reviewing agencies. We have received all of the approval letters. As a result, the Department is recommending final subdivision approval of this application.

Vice Chair Mahoney: Any questions for the Planner?

Alright, so the Chair will entertain a motion.

Mr. Abrams: Move to approve final subdivision approval for Subdivision Application No. S-2013-02, State Department of Land and Natural Resources.

Ms. Mendonca: Second.

Vice Chair Mahoney: It’s been moved and seconded. Any discussion on the matter? Hearing none. All in favor? (Unanimous voice vote) Opposed? (None) Motion carries 3:0. Thank you and I believe that’s it.

Mr. Abrams: We have that one at the end.

Vice Chair Mahoney: Oh yeah, the one we were waiting for...from Kukui‘ula.

Mr. Abrams: Well, if he’s not here, I don’t have any problem.

Vice Chair Mahoney: Approving or disapproving.

Mr. Abrams: Yes.

Tentative Subdivision Action (Continued)

Subdivision Application No. S-2016-1, Kukui‘ula Development Co. (Hawai‘i) LLC,
Proposed 11-lot Consolidation & Resubdivision, TMK: (4) 2-6-019:022, 023 & 024, Kukui‘ula,
Kōloa, Kaua‘i

Vice Chair Mahoney: Okay. Can we go back to that?

We return to I.1.a. Subdivision Application No. S-2016-1; Kukui‘ula Development (Hawai‘i) LLC; proposed 11-lot consolidation and resubdivision; TMK: (4) 2-6-019:022, 023, and 024; Kukui‘ula, Kōloa, Kaua‘i.

Ms. Mendonca: So move to approve.

Mr. Abrams: Second.

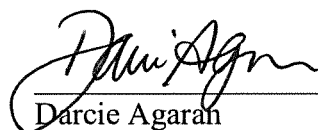
Vice Chair Mahoney: There has been a motion to approve and a second. Any discussion on the matter? Hearing none. All in favor? (Unanimous voice vote) Opposed? (None) Motion carries 3:0.

With no further business on the agenda, the Subdivision meeting is adjourned. Thank you.

ADJOURNMENT

Vice Chair Mahoney adjourned the meeting at 8:49 a.m.

Respectfully submitted by:



Darcie Agarah
Commission Support Clerk

() Approved as circulated (add date of meeting approval).

() Approved as amended. See minutes of _____ meeting.